IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

| CLINTON W | ALKER, Plaintiff, |))) | | | | |
|-----------|----------------------|-------------|-------|--------|-----|--------|
| v. | |) | Civil | Action | No. | 09-282 |
| | | , | | | | |
| CO. 1. G. | CAMPBELL, ET AL., |) | | | | |
| | Defendants. |) | | | | |

ORDER

Plaintiff Clinton Walker as appealed the non-dispositive order, dated September 10, 2009, entered by United States Magistrate Judge Lisa Pupo Lenihan [document #38]. Upon a review of the matters raised by the appeal, the court concludes that the order appealed from is neither clearly erroneous nor contrary to law. Fed.R.Civ.P. 72.

Therefore, this 14 day of _______, 2009, IT IS HEREBY ORDERED that the order referred to is AFFIRMED and the instant case is referred back to the Magistrate Judge for further proceedings.

BY THE COURT:

cc: The Honorable Lisa Pupo Lenihan, United States Magistrate Judge

All parties of record